

PATENT COOPERATION TREATY

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From the INTERNATIONAL SEARCHING AUTHORITY

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10 MAR 2009
FILE No. 45192
G.E. EHRICH (1995) LTD

INVITATION TO PAY ADDITIONAL FEES AND, WHERE APPLICABLE, PROTEST FEE

(PCT Article 17(3)(a) and Rules 40.1 and 40.2(e))

Applicant's or agent's file reference 45192	Date of mailing (day/month/year) 03 MAR 2009 (2)
Applicant's or agent's file reference 45192	PAYMENT DUE within ONE MONTH from the above date of mailing
International application No. PCT/IL 08/01492	International filing date (day/month/year) 13 November 2008 (13.11.2008)
Applicant SENG ENTERPRISES LTD.	

1. This International Searching Authority

(i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated below/on an extra sheet:
Please see extra sheet

(ii) therefore considers that the international application does not comply with the requirement of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated below/on an extra sheet:
Please see extra sheet

(iii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.: 1-11, 25-36 and 48-51

(iv) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. Consequently, the applicant is hereby invited to pay, within the time limit indicated above, additional fees in the amount indicated below:

\$1,800 x 2 = \$3,600
Fee per additional invention number of additional inventions total amount of additional fees/currency

3. The applicant is informed that, according to Rule 40.2(c), the payment of any additional fees may be made under protest, that is, a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fees is excessive, where applicable, subject to the payment of a protest fee.

Where the applicant pays additional fees under protest, the applicant is hereby invited, within the time limit indicated above, to pay a protest fee (Rule 40.2(e)) in the amount of _____ (amount/currency)

Where the applicant has not, within the time limit indicated above, paid the required protest fee, the protest will be considered not to have been made and the International Searching Authority will so declare.

4. Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774
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International application No.

PCT/IL 08/01492

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I: claims 1-11, 25-36 and 48-51, directed to a holding device for cells comprising an array of spaced picoliter wells, further wherein the holder may be translucent.

Group II: claims 12 and 13, directed to a method of forming a template for a picoliter well array.

Group III: claims 14-24 and 37-47, directed to a method of forming a cell holding device having an array of picoliter wells.

The inventions listed as Groups I - III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The special technical feature of the Group I claims is a holding device for cells comprising an array of spaced picoliter wells. The special technical feature of the Group II claims is a method of forming a template for a picoliter well array. The special technical feature of the Group III claims is a method of forming a cell holding device having an array of picoliter wells.

The only common technical element shared by the above groups is that they are related to an array of wells having picoliter volume. This common technical element does not represent an improvement over the prior art of US 2004/0219074 A1 to Childers et al. (see para [0015], [0028]). Therefore, the inventions of Groups I-III lack unity of invention under PCT Rule 13 because they do not share a same or corresponding special technical feature.